

THE 1609/1461.
BENEFITS and ADVANTAGES

Gain'd by the late

Septennial PARLIAMENT,

Set in a Clear LIGHT,

BY THEIR

Acts and Deeds.

With a LIST of the

Naturaliz'd *foreigners* :

AND

REASONS for Repealing the *Septennial*
ACT, and reinforcing TRIENNIAL
PARLIAMENTS.

By a Member of the late Parliament.

L O N D O N :

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THE HISTORY OF THE

ROYAL SOCIETY OF LONDON

FROM ITS FIRST INSTITUTION

TO THE PRESENT TIME

IN TWO VOLUMES

VOLUME THE SECOND

BY JOHN WALLIS

AND JOHN WALLIS

AND

JOHN WALLIS

JOHN WALLIS

LONDON

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(I)

THE
BENEFITS
AND
ADVANTAGES
OF THE
Last PARLIAMENT, &c.

AS the Tree is known by its *Fruit*, so are Men by their *Works*, which let us into the Knowledge of what *Good* or *Evil* they have done in their respective Stations. Both of these ought to be handed down to Posterity, for the Advantage of those that come after Us : The first by way of *Precept* and *Example*, to persuade and invite to its adorable Imitation ; and the last by way of *Dehortation* and *Dislike*, that succeeding Generations may have in abhorrence, and avoid the Mischiefs that have been done, or intended to be done to them, by their worthless Predecessors : Which of these two Tasks is made choice of by me, the Reader will easily judge, by a cursory Glance at the Title of this little Pamphlet ; wherein it is designed to prefer Matters
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of Fact before those of Speculation and Conjecture. Let it suffice then, that the Relations I am now submitting to the Perusal of the Publick, are such as will abide the *Touchstone of Truth*; and that whatsoever Partiality may be imputed to me, through the blind Obstinacy of Men, who will neither lend a favourable Ear nor Eye to what is disagreeable to their respective Interests, I shall lean towards no other Byass, than what shall guide and direct me to those laudable Paths, wherein all, that have at Heart the Welfare of our most Excellent Constitution in *Church and State*, find themselves obliged to tread. I have been both an Ear and an Eye-witness of what has been transacted by one Part of the Legislative Body of the Nation more than Twenty One Years; and though I am firmly resolved to retreat, in my own Person, from all publick Business, through the Infirmities of a crazy Constitution, and an advanced Age, hold myself obliged to do what in me lies towards the *Representation* of the *Third Estate* of this Realm (whereof I shall still glory in being a Member) by Gentlemen, that will postpone their own to the publick Interest.

In order to this, it will not be improper to review (after as succinct a manner as the Nature of this Undertaking will allow) the Steps and Methods that were taken and made use of by the Parliament preceding this, that is now under Election; and from thence to infer, how much it will tend to our common Safety, and the Preservation of our Religious Rights and Civil Liberties, if we shall delegate the Power the Laws have invested the Commons of *Great Britain* with, to those who were intrusted with it before; or if it shall be more conducive to the



the Honour, Ease, and Tranquillity of the Nation, to chuse new Deputies, who, as Guardians of the Peoples Properties and Immunities, will redress their Grievances, and prevent any Encroachments on their Rights and Liberties.

Nor can any thing be more adapted to Enquiries of such a Nature, or consist better with a right Information, whereby we may be led into a true Knowledge of the Merits of our late Representatives, than the abovementioned Retrospection, which shall be carried on by me with all the Candour and Impartiality that is needful to be made use on such an Emergency. I shall therefore look back no further than his Present Majesty's Proclamation for calling this last Parliament, which he was most *graciously* pleased to issue out, before their Predecessors, chosen by the late Queen, of *Glorious Memory*, who had settled the Revenue, had ended their Sessions; and give the very words of it at length, that the Reader may judge, after he has seen the Result of their Consultations, in the *Titles* of the *Acts* that are in force thereby, how dutifully the said worthy Members have come up to the Tenour of it, which runs thus.

*A PROCLAMATION for Calling a
New Parliament.*

‘ *GEORGE R.*

‘ **I**T having pleased Almighty God, by most
‘ remarkable Steps of his Providence, to
‘ bring Us in Safety to the Crown of this
‘ Kingdom, notwithstanding the Designs of
‘ evil Men, who shewed themselves disaffected
‘ to our Succession; and who have, since, with
‘ the utmost Degree of Malice, misrepresented

' our firm Resolution, and uniform Endeavours, to preserve and defend our most Excellent Constitution both in Church and State; and attempted, by many false Suggestions, to render Us suspected to our People: We cannot omit, on this Occasion, of *first* summoning our Parliament of *Great Britain* (in Justice to ourselves, and that the Miscarriages of others may not be imputed to us, at a time, when false Impressions may do the greatest and irrecoverable Hurt before they can be cleared up) to signify to our whole Kingdom, that We were very much concerned, on our Accession to the Throne, to find the publick Affairs of our Kingdom under the greatest Difficulties, as well in respect of our *Trade*, and the Interruption of our *Navigation*, as of the great Debts of the Nation, which we were surprized to observe had been very much increased since the Conclusion of the last War. We do not therefore doubt, that, if the ensuing Elections shall be made by our *Loving* Subjects, with that *Safety* and *Freedom* which by *Law* they are entitled to, and We are firmly resolved to maintain them in; they will send up to Parliament SUCH PERSONS, to redress the present Disorders, and to provide for the Peace and Happiness of Our Kingdoms, and the Ease of Our People for the future; and therein will have a particular Regard to such as shewed a Firmness to the Protestant Succession, when it was most in Danger. We have therefore found it necessary, as well for the Causes aforesaid, as for other weighty Considerations concerning Us, and our Kingdoms, to call a New Parliament: And We do accordingly declare, That, with the Advice

‘ Advice of our Privy Council, We have this
 ‘ Day given Order to our Chancellor of *Great*
 ‘ *Britain* to issue out Writs in due Form, for
 ‘ calling a New Parliament ; which Writs are
 ‘ to bear Test on the 17th of *January*, and to
 ‘ be returnable on Thursday the 17th Day of
 ‘ *March* next following.

‘ *Given at our Court at St. James’s, the 15th of*
 ‘ *January, 1714. in the First Year of Our*
 ‘ *Reign.*

In pursuance of this Recommendation from the Throne, Elections were made accordingly, and such Persons were returned for Representatives of the People of *Great Britain*, as, for the Generality, were entirely in the Interest of the Government : Which appeared at the Opening of the Session by their Choice of their very Worthy Speaker, Grandson to the Great Earl of *Northampton*, who has transmitted Glory to his Family, by losing his Life at the Head of the Royal Army, raised by the Blessed Martyr King *Charles I.* against Parricides and Rebels. But as this little Narrative may swell into too large a Bulk, by the Recapitulation of the whole Proceedings of a Parliament, which has lasted beyond its accustomed Length ; so, for Brevity-sake, I shall only instance in such Bills past into Acts, as may set the Services of our late Lawgivers in such a *Light*, as may make them *shine before Men*, so as to stand manifest to the Eyes of the Publick, who are left at liberty to judge, from the Text, what Comments ought to be made upon it.

And to this Intent we are to find, in the
Tables of the several Statutes, Publick and Private,
 passed

passed during this Septennial Parliament, among other Acts, these worthy of particular Notice, viz.

An Act to explain the Act made in the Twelfth Year of the Reign of King *William* the Third, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject.*

An Act for making perpetual an Act of the 7th and 8th Years of his late Majesty King *William* the Third, intituled, *An Act, that the solemn Affirmation and Declaration of the People called Quakers, shall be accepted, instead of an Oath, in the usual Form*: And for explaining and enforcing the said Act in relation to the Payment of Tythes and Church-Rates; and for appointing the Form of an Affirmation to be taken by the said People called *Quakers*, instead of the Oath of Abjuration.

An Act to empower his Majesty to secure and detain such Persons as his Majesty shall suspect are conspiring against his Person and Government.

An Act to prevent Tumults and Riotous Assemblies.

An Act for enlarging the Capital Stock and Yearly Fund of the *SOUTH-SEA* Company, and for supplying thereby Eight Hundred Twenty Two Thousand, Thirty Two Pounds, Four Shillings, and Eight Pence, to Publick Uses; and for raising One Hundred Sixty Nine Thousand Pounds for the like Uses, by Sale of Annuities, upon divers Encouragements therein mentioned, and for appropriating several Supplies granted to his Majesty.

An Act for strengthening the Protestant Interest in these Kingdoms.

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An Act for continuing an Act of this present Session of Parliament, (*viz. the First of the Fifth Parliament of Great Britain, continued by Adjournments, &c.*) intituled, *An Act to empower his Majesty to secure and detain such Persons, as his Majesty shall suspect are conspiring against his Person and Government.*

An Act for enlarging the Time of Continuance of Parliaments, appointed by an Act made in the Sixth Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the frequent Meeting and Calling of Parliaments.*

An Act to indemnify such Persons who have acted in Defence of his Majesty's Person and Government, and for the Preservation of the Publick Peace of these Kingdoms, in and about the Time of the late unnatural Rebellion, from vexatious Suits and Prosecutions.

An Act for repealing so much of the Act of the Twelfth and Thirteenth of King *William III.* intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, as enacts, That no Person who shall come to the Possession of the Crown, shall go out of the Dominions of *England, Scotland, or Ireland*, without Consent of Parliament.

An Act for the more effectual securing the Peace of the *HIGHLANDS* in *Scotland*.

An Act for quieting and establishing Corporations.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

An Act for making forth new Exchequer Bills, not exceeding one Million, at a certain Interest; and for lending the same to the *South-Sea Company*, at an higher Interest, upon Security of repay-

paying the same, and such high Interest into the Exchequer, for Uses to which the Fund for lessening the Publick Debts (call'd the sinking Fund) is applicable; and for circulating and exchanging, upon Demand, the said Bills, at or near the Exchequer.

An Act for better securing certain Powers and Privileges, intended to be granted by his Majesty by two Charters for Assurance of Ships and Merchandizes at Sea, and for lending Money upon Bottomry; and for restraining several extravagant and unwarrantable Practices therein mentioned.

Another Act for punishing Mutiny and Desertion, and the better Payment of the Army, and their Quarters.

An Act for raising a Sum, not exceeding Five Hundred Thousand Pounds, by charging Annuities at the Rate of Five Pounds *per Cent. per Ann.* upon the Civil List Revenues, till redeemed by the Crown; and for enabling his Majesty, his Heirs, or Successors, (by causing such a Deduction to be made, as therein is mentioned) to make good to the Civil List the Payments which shall have been made upon the said Annuities; and for borrowing Money upon a certain Lottery; and for discharging the Corporations for Assurances of Part of the Money, which they were obliged to pay to his Majesty, and for making good a Deficiency to the *India Company*.

An Act to repeal such Clauses in the Quarentine Act, passed in the Seventh Session, relating to the Plague, as give Power to remove Persons from their Habitations.

An Act for granting the *Quakers* such Forms of Affirmation, as may remove the Difficulties many of them lie under.

An A&t for paying off and cancelling a Million of Exchequer Bills, and for issuing a further Sum in new Exchequer Bills.

Naturalization Acts.

Session I.

An A&t for naturalizing *Henry Cornelisen*.

An A&t for the Naturalization of *Frederick Guliker*.

An A&t for naturalizing *Gerard Roeters*.

An A&t for naturalizing *ERENGARD MELOSINE, Baronefs of Schulenburgh*.

Session II.

An A&t for naturalizing *Isaac Kuyckvan Mierop*.

An A&t to naturalize *John Jacob Heldt, Theodore Van Rheden, and others*.

Session III.

An A&t to naturalize *Peter Rose, and others*.

An A&t to naturalize *Martin Ludolph, Ulrick Jansen, John Ludolph Spellerburg, John Spieker, and Laurence Gundeloah*.

Session IV.

An A&t to naturalize *Peter Sejourne, Samuel Dufresnay, and Peter Lucas*.

An A&t for naturalizing *Ludowick Christian Sprogell*.

An A&t to naturalize *Peter Lamy de Hame, and Charlotte Whetstone*.

Session V.

An A&t for the Naturalization of *Mary Sophia Charlotte, Viscountess HOWE, Wife of Scroop Lord Viscount Howe of the Kingdom of Ireland*.

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An Act for naturalizing *Gerard Van Neck*.

An Act for naturalizing *Bennet Erasmus Hopser*.

An Act for naturalizing *John Backer*, and *George Kruger*.

An Act for naturalizing *Samuel Gampert*.

An Act for naturalizing *Cornelius Backer*, and *Henry de Putter*.

An Act for naturalizing *Francis Van Hemert*, *John Van Hemert*, *Frederick Morgan*, and *Henry Nicholas Sander*.

An Act for naturalizing *John Henry Grutzman*.

An Act for naturalizing *Philip Germain*, and *George Hollmans*.

Session VI.

An Act for naturalizing *John Robethon*, and *George Robethon* his Son.

An Act to naturalize *Joachim Petersen*, *Henry Muilman*, *Benedict Corp*, and *John Henry Ott*.

An Act for the Naturalization of *Isabella*, Countess of *Denbigh*, Wife of *William* Earl of *Denbigh*.

An Act for naturalizing *John Hartcup*.

An Act for naturalizing *Gilbert de Flines*, *Christian Frederick Zincke*, and others.

An Act for naturalizing *James Masse*, and *Jacob Stolck*.

An Act for naturalizing *John de Neufville*.

An Act for naturalizing *John Frederick Jales*.

Session VII. & VIII.

An Act for naturalizing *Christopher Schele*.

An Act to naturalize *James Giradot*, and *Paul Amfink*.

An Act to naturalize *John Blydersteyn*.

The

(II)

The Result of the most important Consultations of our late Representatives being thus laid down, before such as are now under the strongest Solicitations of Promises, Money, &c. they are at liberty either to reject or re-chuse them, as their Inclinations to unlawful Gain, or the inviolate Attachment they are under a Necessity of being to the Love of their dear Country, shall prompt and direct them. For we that are Electors, have no other Business in hand, than, if the above-mentioned Acts have been such as are conducive to the Well-being and Advantage of the Nation, to survey the Lists of those that promoted them, and to do our Endeavour to send them up again to assist in the Supreme Council of *Great-Britain*; or if on the contrary, (which I shall not be so presumptuous to aver) any of *them* shall appear destructive of our common Happiness, 'tis then likewise in their Option, nay more, in their Duty, as *Englishmen*, as Christians, as Men that have in abhorrence all Practices inconsistent with the Honour and Dignity of the Crown, and the Liberty of the Subject, to fill their vacant Places with Gentlemen of better Principles, and of greater Zeal and Affection to our yet most excellent Constitution in Church and State; that they, in conjunction with such old Members as are our *Bromleys*, our *Packingtons*, our *Snells*, *Shippens*, &c. that made, and still will make a Stand against all Invasions of the Rights of the People, which they were, and 'tis to be hoped will be sent up again to assert and defend.

' For it is of the last Importance to the Electors
' of *Great-Britain*, who have at Heart the Good
' of themselves, and their Fellow-Subjects, to be
' thoroughly informed of the Characters of those
' in whom they shall think fit to repose the

highest Trust. Since, if a Majority of improper Persons should be returned for the ensuing Parliament, the *British* Liberties may be endangered, and the little Advantages which some Electors may gain by giving their Votes, will be a poor and sorry Recompence for that inexpressible Ruin towards which they contribute. The Bible is in all their Hands, and they wou'd do well to read and consider the Story of that Arch-Traytor Judas, who, in deep Remorse and Despair, return'd the Price of his Treachery, and became afterwards his own Executioner.

This is the Sense of a late Author, who having jumped into the very Opinion I had conceived before the sight of his Paper, that came out the very day on which the last Parliament was dismissed, is to be preferr'd, *multis Intervallis & Parasangis*, for the Force of his Persuasion, the Purity of his Diction, and the Delicacy of his Wit, before most that appear in Print upon these or the like Occasions; especially to *ME*, who am worn out like an old Veteran, and like *Priam* in Defence of himself against the Invaders of his Kingdom and Country, can only shew my Courage, without Strength sufficient to discover my Power—*Telumque imbelles sine Ictu—conjicit*—The most beautiful Description of the Impotency of old Age, that can be shewn in the Writings of any Author antient or modern, but the Prince of Poets, the great and immortal *Virgil*.

The Writer above-mentioned has anticipated me, by saying, 'There are many Heads on which Electors for Members to serve in Parliament, may interrogate their Candidates, but none, he thinks, of greater Importance, than their Opinion, as to their Resolutions, when chosen, of making

' making the strictest Inquiry into the Applica-
 ' tion of the Publick Money ; and particularly
 ' the *Two Hundred and Fifty Thousand Pounds*,
 ' granted, some Years since, for ending the War
 ' in the *North* ; the Causes of the Deficiency of
 ' about Eight Hundred Thousand Pounds of the
 ' List, already supplied by Parliament ; and such
 ' farther Deficiencies as may hereafter come be-
 ' fore them. The Reasons why the Debt of the
 ' Army, which was at first estimated at under
 ' Four Hundred Thousand Pounds, has swell'd
 ' to above *Two Millions*, whereof *Twelve Hundred*
 ' *Thousand Pounds* has been certified to *Foreigners* ;
 ' and who shall not propose likewise strictly to
 ' enquire into the *Advantages* arising to *Great*
 ' *Britain* by the *Baltick* and *Mediterranean* Squa-
 ' drons, whereby the Expences of the Navy
 ' have been extended more than *Three Millions*
 ' *Sterling*, over and above what had been neces-
 ' sary in a Time of Peace, computing according
 ' to the Establishment for the present Year ;
 ' ought never to have any honest Elector's Vote,
 ' nor ever shall have mine.'

It will likewise deserve the Curiosity of such
 as are applied to for their Voices, to know
 who were for and against the fatal *South-Sea*
Scheme, and the *Two Insurances*, in the several
 Steps which the same took in the House of
 Commons : Who were *For* and *Against* some o-
 ther Laws that have passed, or been attempted,
 for trying Crimes out of the Counties where the
 same were committed : Who were *For* and *A-*
gainst the *Peerage-Bill*, the *Suspension* of the *Ha-*
beas Corpus Act, the Subsidy granted for the Use
 of the present King of *Sweden*, and allowing so
 great a Standing-Army in time of Peace ? Who
 were *For* and *Against* regulating, that is, for sup-
 pressing

pressing Charity-Schools, those celebrated Nurseries of young Children, in the Doctrines of the Church by Law Established ? And who *For* and *Against* setting aside Select Vestries ? Who *For* and *Against* establishing Military Law in a time of Peace, when that Matter was fully debated some Years past, in a very numerous, if not the fullest House of Commons, which hath been during the last Parliament ? Who were of the 115, who voted for bringing in a Bill for repealing part of the last Year's *Quarentine Act*, and the 75 that opposed the same ? Who were of the 61 that were for reporting the Bill relating to the *Freedom of Elections*, and the 30 that were against the making of that Report ? Who were of the 142, who asserted the Right of the Commons of *Great Britain*, to examine, in the most solemn manner ; and the 144 who opposed the same ? Who were of the 128, who, in consequence of that Resolution, acquitted B—P—— and the 124 who were of Opinion, that the Charge against him had been made good ?

These, and many other Particulars, the Electors have in their power ; which, 'tis hoped, they will exert, to examine their Candidates about ; and according as their Conduct has been agreeable or disagreeable, in these or any other Matters, it is incumbent upon them to determine themselves in their future Choice.

But above all Questions that can be put to them, their Opinion, in relation to the Act for Septennial Parliaments, ought to be the chief, from the Greatness of its Importance. I know some Gentlemen, who came into that Law, do heartily repent thereof, and think (as I in my Conscience do) that it has been attended with
very

very ill Consequences ; and I am firmly resolved not to give my Voice, in those Places where I have a Right to do it, to any Gentleman, who shall not previously declare his Agreement with me, as to this Matter, and give his sincere Promise to use his utmost Endeavour to re-establish *Triennial* Parliaments, by which the Constitution of Parliaments was brought much nearer to what it originally was ; and I am fully persuaded, that those, who are unwilling to come into such a Promise, will be very easily induced to add *Eight*, or any other Number of Years, to the further Continuance of the ensuing Parliament.

This brings me to the last Part of what I proposed to treat of in the Title of this little Pamphlet, wherein I am to give my Reasons for repealing the Septennial Act, and re-enacting that for *Triennial* Parliaments in its room ; which Reasons are offered to the Consideration of the Publick, after the following manner.

Sublatâ Causâ tollitur Effectus, is an Axiom as old as Reason itself, and now the chief Argument of Parliaments Existence for Seven Years is actually expired, by the Death of the late Insurrection, and the Destruction and Flight of those that set it on foot : And now *the restless and Popish Faction* are suppressed from any longer designing and endeavouring to renew the Rebellion within this Kingdom, and an Invasion from Abroad, destructive to the Peace and the Security of the Government ; we have no room to doubt, but, as it is appointed for all Men once to die, those whom the People have delegated their Representative Authority to, are *demised*, that we may again seek the old Ways and find them, and have it in our power to return to what is the very Essence of

of our CONSTITUTION, by a new Choice of such Persons, as may, with Justice, be deemed as fit to be the *Conservators of the Peoples Liberties*, as those who were lately sitting.

For that is the Trust of the Members sent up to Parliament, who are to support us in our just Rights, and redress our Grievances; and for that end are they called to meet together, from the Throne, to consult about the arduous Affairs of the Kingdom.

Standing Armies and Standing Parliaments are equally inconsistent with the Nature of a Free State: The first may endanger its Liberties, even after they have been found necessary to be raised for their Preservation; and the last establish a Grievance, by taking away a Remedy, by *always stagnating*; (so says Julian Johnson, the famous Whig-Writer.) Whereas frequent Elections of Members to represent the Third Estate of the Kingdom, are attended with great Conveniences; the chief of which are, (1.) That they shew the Sovereign's entire Reliance on the Affections of his Subjects, without which no King can be either safe or easy. (2.) They support the Constitution, by preventing Encroachments, either of Parliaments on the Crown, or of the Crown on the Rights and Liberties of the People. (3.) They correct Abuses and Exorbitances committed through the Ambition and Avarice of Ministers. (4.) They give the People an Opportunity, who have an indisputable Right to it, of remedying any Abuses that may be committed by their Representatives, chusing others that shall be more faithful in the Discharge of the Trust reposed in them.

But

But frequent Elections occasion ruinous Expences (*says an Opposer*) and raise great Ferments, and cause Animosities which are of dangerous Consequence; to which it is replied, that Expences at Elections are voluntary, and that Bills for *long Parliaments* are so far from preventing Corruptions, that they rather encrease them; for the longer a Parliament is to sit, the more valuable to be purchas'd is a Station in it, and the greater also is the Danger of corrupting the Members of it: For, if there should be a Ministry, who should want a Parliament to *screen* them from the just Resentment of the People, or from a Discovery of their ill Practices to the King, who cannot be otherwise, or so truly informed of them, as by a free Parliament: It would be so much the Interest of such a Ministry to influence the Elections (which by their Authority, and the Disposal of the Publick Money, they of all others have the best Means of doing) that 'tis to be feared they will be tempted, and not fail to make Use of them: And even when the Members are chosen, they have a greater Opportunity of inducing very many to comply with them, than they could have, if not only the Session of Parliament, but the Parliament it self were reduced to the antient and primitive Constitution and Practice of frequent and new Parliaments; for as a good Ministry will neither practice nor need Corruption, so it ought not to be any one's Intent to provide for the Security of a bad one.

The Commons assembled in Parliament have
no Legislative Capacity but what is absolutely, is
D solely

solely in their Electors, and is derived from them; their Trust from the Sixth of King *William* and Queen *Mary*, till the Time of repealing that Clause, which was alleg'd to be done in a Time of most imminent Danger, was a Triennial Trust, and if made so again would cause it to revert to its legal Duration. This Law was one of the Fruits of the Revolution; this Law restored the Freedom and Frequency of Parliaments, so far as it was consistent with the Circumstances of that Reign, which was involved in a War, and had Occasion for constant and heavy Taxes; this Law was a Concession made to the People by King *William*, in the midst of his Difficulties, and no Doubt will upon Application to his Majesty, by both Houses of Parliament, be again permitted to be in Force again; for since his Majesty has been pleased to propose that Prince as a Pattern to himself, and is pursuing his Steps with so much Glory, it would be Matter of Astonishment to see that in the Reign of the one King every Thing should be done to enlarge the Liberties of the People, and to restrain his Successors from being capable of relapsing into the Errors and Abuses of former Princes; and in the Reign of the other, now all Tumults are appeased, and Affairs run smoothly on, there should be the least Appearance of doing any Thing which might seem to stretch the Prerogative, to invade and shock the Rights and Privileges of the Subject, when both shall be found to rule by the same Principles of Liberty, and by the same Maxims of Government.

The Triennial Act is grounded on the antient Usage and Constitution of Parliaments, as it is intended to oblige the Crown to call them frequently.

ly. For that Parliaments were held frequently, (half Yearly, or annually at least) appears not only from the best Accounts we have of the first Institution of them, and by the Two Acts of *Edward III.* but by the Writs of Summons still extant, and by several Authentick Instruments and Records. But to avoid Tedioufness, I shall only mention Two Records. One is the famous Instrument of *Edward I.* concerning the *Annus Censu*, Yearly Offering, then claim'd by the Popes from the Crown of *England*; wherein he takes Notice, that some Arrears incurred on that Head, had not been raised, as they ought to have been in *Parlamento*, *quod circa Octavas Resurrectionis Dominica celebrari in Anglia consuevit*, in Parliament which was us'd to be held about every Easter-Tide. But he promises that he will recommend the Payment of the Money due, in alio *Parlamento nostro*, *quod ad Finem Sancti Michaelis proxime intendimus dante Domino celebrare*, in another of our Parliaments, which we intend by God's Leave to hold at Michaelmas next. The other Record is a Representation of the Parliament to King *Richard II.* some Passages of which are these, *Quod ex Antiquo Statuto habent, & Consuetudine laudabili & approbata cujus Contrarietate dici non volebit*, viz. Which they have from an antient Statute, and from approved and laudable Custom, which his Majesty will not speak in Violation of That the King is to call *Dominos & Proceret Regni*, atque *Communes semel in Anno ad Parlamentum suum*, tanquam ad summam Curiam totius Regni, the Lords and Peers of the Kingdom, as also the Commons once every Year to sit in his Parliament, as the supream Court of his whole Kingdoms. That if the King a *Parlamento suo se alienaverit sua Sponti, non aliqua Infirmitate, aut aliqua alia de Causa Necessitatis, sed par immo-*

deratam Voluntatem proterve se subtraxerit per Absentiam Temporis Quadraquinginta Dierum, tanquam de Vexatione Populis sui & gravibus expensis eorum non curans, ex tunc licitum & omnibus & singulis eorum absque Domigenio Regis redire ad propria, & unicuique eorum in Patriam suam remeare. That if the King shall alienate himself from his Parliament of his own Accord, not by Reason of any Indisposition, or any other Cause of Necessity, but out of his own absolute Will shall peevishly absent himself from them for the Space of Forty Days, as if taking no Care of the Grievances of his People, and the Expences they are put to, from thence it shall be lawful for all and every of them, with Leave from the King to return to their own proper Habitations, and for all of them to a Man to go back to the Place of his Residence.

From the former of these Records, 'tis natural to observe, that *Edward I.* (who was one of our best Princes, and so great a Preserver of the Laws of his Kingdom, that he is with great Justice call'd by our Historians, the *English Justinian*) chose rather than to prolong the sitting of his Parliament beyond their usual Time, to dissolve One, though it had not finish'd its necessary Business, and to summon another within the space of a few Months.

From the latter 'tis very remarkable that *Richard II.* (who is said to be one of the worst Kings that ever sat on the Throne of *England*) by absenting himself from the Business of Parliament, and by that Means continuing their Sessions beyond their proper and accustom'd Time, drew upon himself a sharp Remonstrance from both Houses, and was, at last for such Practices, amongst other Things, deposed.

Many

Many Reigns after this, *Henry VIII.* accomplish'd what *Richard II.* only attempted, and he continued his last Parliament, *ad libitum*, without Reproof, by enlarging the Prerogatives, and perswading the Members thereof to give him the Abby-Lands, under pretence that they would bear part of his Expences, which would ease them of Taxes, and improve Trade: Whereupon, soon after he demanded and obtained great Subsidies, and made use of those Lands to enslave the Nation: But God forbid we should have any Resemblance of those Times; for that Parliament acted like Slaves, and that King acted like a Tyrant. But if the Triennial Act had not been grounded on the Reasons of Antiquity, and the original Usage of Parliaments, it was no more than a reasonable Indulgence from the Throne to the People, who had struggled for a Revolution, on account of the Abuses of Parliaments, and the Endeavours to render them insignificant. 'Tis true that King *William* who gave a Sanction to it by his Royal Assent, once denied it: But, afterwards, he consider'd, that it could be no Diminution of his Prerogative, no Blemish to his Regal Power, to retrieve the Honour and Dignity of Parliaments, as they were his Support, as they were the essential Part of that Constitution he came to save; and this he found he could only do by the frequent calling of them.

Besides, this Law was not only a reasonable Indulgence to the People, as hath been said, in that it gave them frequent Opportunities of changing their Members, when they did not approve their Behaviour, and was of Advantage to the Publick,

in making them act with more than ordinary Caution and Circumspection; but it proved of great Service to the Crown; for by frequent Parliaments the Crown could only know the immediate Sense of the Nation, which is absolutely necessary for a Prince to be appriz'd of on all Emergencies. However inconvenient this Law may have been lately thought, when it was repealed to the Crown; and however opposite to some Schemes then in View, Men of Experience cannot think or imagine that the Crown could have got half the Money it hath been supplied with since the Revolution, but by fresh and new Elections: Such grievous and perpetual Taxes would never have been endured and complied with by a State and continued Parliament; there is no Injury or Dishonour therefore to the Crown, to be obliged, by a Law, to do what in Justice to the Subject, and Convenience to it self it ought to do without it.

But if this Law for Triennial Parliaments is to continue repeal'd, the People will be in a worse Condition, than before it was granted to them. They will be bound up for ever in a Legislative Way, the only Way effectually and irrecoverably to lose their Liberties. They will by their Representations, under a Seven Years Restriction from a fresh Choice, condemn short and frequent Parliaments, and establish long, and perhaps *pension'd* Ones, which is a new Doctrine, and such as was never before advanced by the Commons of *Great Britain*.

The last Reason made Use of by the Promulgers of the Law, for *enlarging the Time for Continuance*

Continuance of Parliaments, appointed by an Act for the frequent Meeting of Parliaments, to prove the Necessity of it was, that it would enable the Government the better to treat and negotiate Foreign Alliances. But surely those who are against its being repeal'd, and abide by this Argument, are Strangers to the Constitution of *England*: For by the known and standing Law of the Land, the Right of making Peace and War, Treaties, and Alliances, are undeniably, the King's Prerogative, and his Majesty may exercise that Right, as to him seems best, and most for the Benefit of his People, without Application to Parliament, either to approve or confirm. But admitting that of late Years, Parliaments have thought Themselves entitled to interpose their Advice in Treaties and Alliances, (though I deny it to be their Right) this is an Argument singly sufficient to support the Triennial Bill. For supposing a Ministry shall at any Time, negotiate an Alliance prejudicial to the Interest of *England*, and by their Artifice impose upon a Parliament to approve and confirm it; is it not a peculiar Happiness, that such a Parliament will quickly have an End: And that the People will have it in their Power, by another, which must, when the Triennial Act shall come in Force again, soon be called to correct the Misdeeds of such a Ministry, and prevent the further ill Consequences of such a Treaty to the Nation.

The Right of electing Members to represent Us in Parliament, is inseparably inherent in the People of *Great Britain*, and can never be thought to be delegated to the Representatives, unless the elected can be made the Elector; and at the same

same Time if we suppose it the Will of the People, that their Representatives should have it in their Power to destroy those that made them, whenever a M—— shall think it necessary to *screen* themselves from their just Resentment: This would be to destroy the Fence to all their Freedom: For if future Parliaments shall have a Right to continue themselves one Year, one Month, or Day, beyond their stated Time, 'twill unavoidably follow, they will have it in their Power to make themselves perpetual; and whatever Necessity we may be reduced to hereafter, Matters are not yet apparently in that bad Condition; to convince the People that if there once has been an Occasion for breaking in upon their Constitution (and that to me is none of the most manifest) that it is still conducive to our Peace and Security, to lay fast hold of it, for the Government after the Suppression of the Rebellion, is so much better guarded against Riots and Tumultuous Assemblies, by the wholesome Laws provided by the Wisdom of this Parliament, that little or no Danger can be apprehended from thence; especially if we consider the Number of Forces prudently quarter'd throughout the Kingdom, sufficient to suppress the most daring Commotions that shall be attempted.

As for the Animosities and Divisions rais'd by Elections, they are of a private Nature, and little affect the Publick; those that do are otherwise to be accounted for, and might have been extinguish'd; but the Opportunities have been neglected, and it were to be wish'd that some *Persons* have not studied rather to continue and increase them, than to extinguish them. To
speak

ſpeak plainly on this Occaſion, the greateſt *Animofities* and *Diviſions*, the greateſt Diſcontents and Uneaſineſſes here among us have been owing to the unreaſonable Reſentments, Avarice and Ambition of ſome, and to the unaccountable Folly and Madneſs of others.

That our Enemies will take Advantage of our Diviſions (another Argument us'd by the Sticklers for the *Continuance Bill*) is not to be doubted, if it is in their Power, but how can it, we have now no Enemies to fear, being now at Peace with all Nations; and our Malecontents at Home are ſo few, that they are rather to be pitied and deſpiſed than dreaded: But, here it muſt be obſerved, that ſince the Triennial Aſſ took Place, there have been Ten ſeveral Parliaments called, moſt of them, nay almoſt all, when we were actually in War Abroad, our Animofities and Diviſions great at Home, and our Enemies vigilant, yet no Inconveniencies follow'd, nor were any ſo much as attempted at thoſe Elections.

Since therefore all the Arguments for the above-named Aſſ of Continuance of *Parliaments*, are now of no Force as to pleading a Neceſſity for it, ſince there remains no further Reaſon for its future Subſiſtance, ſince all the Intents of it have been fully answer'd, it is but fitting that we return to frequent and new Parliaments, which are our Conſtitution, becauſe long Parliaments are plainly deſtructive of the Subjects juſt Rights, and many Ways inconfiſtent with the Good of the Nation: For, can it be reaſonable that any Particular Men ſhould for a long Time engroſs ſo great a Truſt excluſive of others? Can it be of

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Advantage

Advantage to the Publick, that the Counties, Cities, and Boroughs should be long confined to those they have once chosen, their Interests admitting of great Variation in length of Time.

Frequent and new Parliaments, as it has been urged before, are our Constitution, the very Soul of all our Liberties and Immunities, and the Calling and Holding of them has been for many Ages, the Practice. Before the Conquest Parliaments were held Three Times every Year, at *Christmas*, *Easter*, and *Whitsuntide*; this must be understood of new Parliaments, for Prerogations and long Adjournments were not then known, they were never heard of 'till latter Days.

They began in *Henry* the VIII's Time, that Prince and his Ministers knowing long Parliaments were best fitted, to make great Changes. They were therefore Inventions, when extraordinary Things were to be done; it was then the Church was to be alter'd, and the Church Lands (as has been intimated before) to be taken away. From that Time our Histories tell us, that when ever the same Parliaments were long continued, or the Meetings of Parliaments long discontinued, they gave great Uneasiness. In the unfortunate Reign of King *Charles I.* there had been an Intermision of Parliaments Twelve Years, which produced an Act in the 16th Year of that King, *For the preventing the Inconveniences happening by long Intermision of Parliaments.* That Act in the Preamble recites the Law made in the Reign of *Edward* the III. viz. ' That Parliaments ' ought to be held every Year Once: But that ' the Appointment of Time and Place, belong'd ' to

' to his Majesty, and his Royal Progenitors:
 ' And that it had been found by Experience,
 ' great Inconveniencies and Mischiefs had hap-
 ' pen'd to the King, and to the Commonwealth,
 ' by not holding Parliaments accordingly; and
 ' for Prevention of the like for the Future, it
 ' enacts, *That the said Laws shall be strictly observed:*
 ' *And that in Case there be an Intermission of the*
 ' *sitting of Parliaments for Three Years together, if*
 ' *there is a Parliament in being, that Parliament shall*
 ' *be dissolved, and very extravagant Powers were*
 given for the Calling and Assembling of ano-
 ther; and every such Parliament was not to be dissolv'd
 of Fifty Days, without their own Consent. This
 extraordinary Step was soon follow'd by another,
 an Act, *That the Parliament should not be dissolved,*
prorogued, or adjourned, but by Act of Parliament; nor the
Houses of Parliament adjourned, but by themselves re-
spectively. I need not be particular in reciting the
 Consequences of this Act of Parliament, for every
 one knows, that set of Men, when they had thus
 continued themselves, never stop'd 'till they had
 murther'd the best of Princes, and entirely sub-
 verted our Constitution both in Church and State.

Soon after the Restoration of King Charles the
 Second, the Act for preventing the Inconveniencies
 happening by the long Intermission of Parliaments, was
 repealed, because derogatory to the Prerogative;
 and because it might be an Occasion of many Mis-
 chiefs and Inconveniencies, and endanger the
 publick Peace and Safety; but at the same Time
 it was declared and enacted, *That because by the*
Antient Laws and Statutes, Parliaments are to be held
very often, the sitting and holding of Parliaments shall
not be intermitted above Three Years at the most. This

Law not having been so well observed as it ought to have been at the Revolution in the Convention Parliament, when it was thought necessary to declare the Rights and Liberties of the People, after many Breaches had been made upon them, it was among other Things declared, *That Parliaments ought to be held frequently.* And what follows in that Act, is very strong, for it declares and enacts, *That all and singular the Rights and Liberties asserted and claimed in the said Declaration, are the indubitable Rights and Liberties of the People of this Kingdom, and so shall be esteemed, allowed, and judg'd, and taken to be, and all the Particulars thereof shall be firmly and strictly holden and observed, as they are express'd in the said Declaration.* The Right claimed and asserted, is, that Parliaments ought to be held frequently; and soon after a new Parliament was called, which sate annually: But this was not look'd upon to be a complying with the Right claimed, and therefore, after that Parliament had sate Three Times in the Fourth Session, it was thought necessary to come to a further Explication, a Bill passed both Houses, and was rejected by the Throne, *for the frequent Meeting and calling of Parliaments.* Others were attempted in the next Session, and it is well known how they come to miscarry in the House of Commons; but in the succeeding Session a Bill passed both Houses, and had the Royal Assent, that is the Triennial Act which the purpose of this Pamphlet is to have re-enacted.

For undoubtedly to protract Parliaments beyond their due Length, is to take away the People's Right of appointing their Representatives. It deprives them of their Share in the Legislature,
and

and, in my Opinion, Wounds the Constitution of Parliaments very deep. No Gentleman but knows that the Frame of our Government is made up of the King, the Lords, and the Commons.

These, with respect to each other, have ever been esteemed seperate, although, when put together, they make but one entire Government. The Duration of this Form of Government in *England*, longer than in our Neighbouring Countries, is manifestly owing to the Care of those that went before us, in keeping these three *Constituent Parts* of the Political Body up to the Rules of their first Institution, by restraining each to its proper Bounds, and in not suffering one to be over-born or swallow'd up by the other Two. However these Three great Parts may, in other Respects, be consider'd, yet in regard to the Legislative, they must act in Conjunction. The Assent of each to the making of Laws is essentially necessary, but the Manner of giving that Assent is different in the People, from what it is in the King, and the Lords. The People by Reason of their Number, cannot be personally present at the passing of Laws; their Assent cannot otherwise be signified, than by their Representations. The Disadvantage the Commons are, in this Respect under, is in some Sort made up to them by the Care taken in the Framing of our Government, that they should be truly and fairly represented.

That Elections shall be free is often declared in our written Laws. 'Tis in Effect, saying, that neither the Power of the Crown, nor the Power of the Lords should interpose in them. The
Resolution

Resolution of the House of Commons renew'd every Session, *That for a Lord to concern himself in the Election of Members to serve for the Commons in Parliament is a high Infringement of the Liberties and Privileges of the Commons of Great-Britain, sufficiently shews the Jealousy the Commons ever had of the Lords intermeddling in the Elections of their Representatives.*

The Attempts made on the King's Part towards influencing Elections, have been principally by Officers under the Nomination of the Crown. As this Mischief from Time to Time appeared, Laws were introduc'd and establish'd to provide against it. The Statute 7. *Henry IV. C. 15.* recites *That Law to be made at the grievous Commons of the undue Elections for Parliament, and directs (among other Things) That Sheriffs should proceed to Elections, freely and indifferently, notwithstanding any Command to the contrary.* Many subsequent Laws were made for preserving to the People the Privilege (on which all other depend) of being faithfully represented in Parliament. No less than Seven Acts were made in King *William's* Time for that purpose: So greatly did the Endeavours of Officers, to influence Elections at that Time, abound. The Statute of 3. *W. and M. C. 1.* takes Notice, *That the Officers of the Excise, by Reason of the Greatness of the Duty, and the extraordinary Powers given them, had frequently, by Threats, or Promises, so far prevailed on Electors, that they had been actually debarr'd of the Freedom of giving their Votes; which, according to the known Constitution of this Kingdom, every Person ought to have and enjoy.* It then enacts, *That any such Officer, who persuades or dissuades any Elector from giving his Vote, shall forfeit*
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One Hundred Pounds, and be incapable of executing any Office relating to the Excise. Another Law of the like Nature was some few Years since made in Relation to the Officers, concern'd in collecting the Post-Office Duty. These Laws will, in all probability be laid asleep, and the Provisions made for protecting the People's Right of Election will become insignificant, if Elections themselves are defer'd and discontinued beyond their appointed Time.

The Care taken by the Founders of the Government to preserve this RIGHT did not stop here: It was not sufficient to that purpose, that Elections should be *free*; it was likewise necessary that they should be *frequent*. The People's Right to frequent Elections was founded on substantial Reason: For since they (who could act no otherwise but by Representatives) were capable of being mistaken in their Choice, and the Person chosen liable to be tempted over to a Dependence on the Crown, or on the Lords, and thereby receive an undue Influence, it became needful that frequent Opportunities should be given to the Commons to correct their Choice, and thereby prevent the Danger which the Unfaithfulness of their Representatives might otherwise bring upon them.

That the People have a Right to frequent Elections, has been made unquestionable before by the best of Evidence, perpetual Usage. It has been already proved, that from the first Footsteps of Parliaments, down to the Time of *Hen. 8.* not only from Records, but from the printed Statutes, the *Frequency* of Elections does appear. The
most

most repeated Instances within that Period of Time, are of Parliaments determining within the Compass of a Year, and no Instance can be brought where they continued longer than Three.

King Charles I. (that unfortunate Prince) was put upon governing without Parliaments, but the Necessity of his Affairs forcing him to change his purpose, a Parliament was called in the 16th Year of his Reign, in which a Law of an extraordinary Nature was pass'd, viz. *That in Case the King should not call a Parliament within Three Years after the Determination of the preceeding Parliament, then the Lord Chancellor should issue Writs for that Purpose.* That Parliament soon after perpetuated themselves, so far as it was capable of being done, and by an *Act* made the same Year, they were not to be dissolved but by *Act of Parliament.* To the long Continuance of which Parliament were all the Calamities of the Civil War to be imputed.

The Statute of the 16th of K. Charles I. was repealed by the Statute of the 16th of K. Charles II. C. 1. But notwithstanding the fond Humour the Nation was then in, even by the same Act it was declared, *That by the Laws of this Realm, Parliaments are to be held very often; and to the End there might be a frequent Calling, Assembling, and Holding Parliaments, once in three Years at least, it was declared and enacted, that Parliaments should not be intermitted above THREE YEARS at the most.*

In the same K. Charles II's Time, another Turn of Policy was taken, which was to bring the House of Commons to the Bent of the Ministry, by

by the secret Application of *Pensions* to the Members : Such was the Modesty even of that Age, so much inveigh'd against by a Set of People in the Present, as not *openly* and *avowedly* to byass with *Offices*, those who ought, at least, to be *faithful Representatives* of the People.

For the effecting this pernicious Purpose of corrupting the Commons, it was necessary that the Parliament should be prolong'd ; which it was, for 18 *Years* : Assurance of which being privately given to many of the Members, and there being Time sufficient to gain upon others, (not so far interested with the Secret) the Design was effected. And such was the Behaviour of that Parliament, that it acquir'd the infamous Name of the *Pensioner-Parliament*.

The Attack thus made on the Constitution of Parliaments, by depriving the People of their Right of frequent Elections, gave Birth to the Jealousy the Nation entertain'd of the Intention that Prince had of assuming to himself a *Despotic* Power. How uneasy the latter Part of his Reign became on that Account, it is well known : And the Nation felt the Effects of the Ferments and Divisions which then arose ; and by the Artifice of ill-designing Ministers, have been ever since continu'd.

The People being warned by the narrow Escape their Liberties met with in that Parliament, did, (after much Struggle in the Reign before-mention'd) obtain a Law for *Triennial* Parliaments, which has since been alter'd into one for *Septennial*.

And now, after above an Hundred and Twenty Millions given by the People, in order to preserve their old Form of Government, we

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may

may, in all Probability, be expos'd again to the greatest of Dangers, which is that of a long Parliament, if the said *Septennial Act*, after the Dissolution of this Parliament, shall continue to be in Force.

In the Time of the Pensioner - Parliament, (which began in 1662) the Means of Temptation in the Ministers Hands, were not so great as they now are : The Civil-List is well-nigh double to what it was : The Dependance on the Crown is greatly enlarg'd, by Reason of the Increase of Officers for managing the publick Revenue and Funds. What Influence these may have upon the exhausted Nation, under the Terror which a great and extraordinary Number of regular Troops carry with them, is easy to be foreseen.

FINIS.

